

Agricultural Marketing Service, USDA

§ 993.174

EFFECTIVE DATE NOTE: At 70 FR 30613, May 27, 2005, § 993.172 was suspended indefinitely.

§ 993.173 Reports of accounting.

(a) *Independent handler's reports of accounting.* Within 10 days (exclusive of Saturdays, Sundays, and legal holidays) after a handler, other than a non-profit cooperative agricultural marketing association, makes an accounting or settlement with a producer or dehydrator for prunes delivered to him, he shall submit to the committee a copy of the accounting or settlement record, which shall contain the following information:

(1) The names and addresses of the producer or dehydrator, any other person having a financial interest in the prunes, and the handler;

(2) The date of the accounting or settlement;

(3) The contract or account number;

(4) An itemized statement listing each lot of prunes in the delivery, showing the date received, receiving point, weight certificate, or door receipt number, inspection certificate number, variety, crop year of production, and the net weight, if any, of prunes shown by the applicable incoming inspection certificate to be disposed of for nonhuman consumption in accordance with § 993.150(g);

(5) The total net weight of prunes to be set aside for nonhuman consumption, and the total net weight received; and

(6) The total net weight of each lot, itemized as to salable and reserve prunes by category as developed from inspection certificates.

(b) *Cooperative marketing associations' reports of accounting.* Upon written notice by the committee, non-profit cooperative agricultural marketing associations which are handlers shall file with the committee within 10 days (exclusive of Saturdays, Sundays, and legal holidays) thereafter a signed cumulative report of the prunes received from its members and any other producers or dehydrators for whom it performs handling services, which shall contain the following information:

(1) The name and address of the association and the date of the report;

(2) The aggregate net weight of prunes, as shown by the applicable in-

coming inspection certificates, required to be disposed of for nonhuman consumption in accordance with § 993.150(g); and

(3) The total net weight of prunes received, itemized by crop years of production, and itemized as to salable and reserve prunes by category as developed from inspection certificates.

(c) *Carryover and marketing policy information.* Upon request of the committee, a handler shall within 10 days (exclusive of Saturdays, Sundays, and legal holidays) thereafter, file with the committee a signed report on Form PMC 14.1 "Report of Carryover and Marketing Policy Information," containing such of the following items of information as may be requested by the committee: (1) The tonnage of prunes held by the handler by size and grade, as of the date specified in the committee's request and the tonnage of reserve prunes by size in each category; and (2) the handler's estimate of the tonnage of prunes held by producers and dehydrators from whom the handler received prunes during the current or preceding crop year, of the tonnage and quality and size of prunes expected to be produced by such producers and dehydrators during the current or following crop year, of current prices being received by producers, dehydrators, and handlers, and of the probable trade demand.

[30 FR 13311, Oct. 20, 1965, as amended at 35 FR 11381, July 16, 1970; 37 FR 15981, Aug. 9, 1972; 48 FR 57261, Dec. 29, 1983]

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§ 993.174 Records.

Each handler shall maintain such records as are necessary to furnish the reports required to be submitted to the Committee by him under this subpart including, but not limited to, records of all transactions on prunes received, held and disposed of by him, and he shall retain such records for at least two years after the end of the crop year in which the applicable transaction occurred.

[26 FR 8281, Sept. 2, 1961; 26 FR 8483, Sept. 9, 1961. Redesignated at 30 FR 13312, Oct. 20, 1965]